



Ohio Board of Nursing

www.nursing.ohio.gov

17 S. High Street, Suite 660 • Columbus, Ohio 43215-3466 • 614-466-3947

I certify that the attached records are a true copy of Ohio Board of Nursing disciplinary records.

Betsy J. Houchen

Betsy Houchen, R.N., M.S., J.D.
Executive Director





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17 South High Street, Suite 400 • Columbus, Ohio 43215-3413 • (614) 466-3947

CONSENT AGREEMENT BETWEEN TERRIE S. LEMLEY, R.N. AND OHIO BOARD OF NURSING

This Consent Agreement is entered into by and between **TERRIE S. LEMLEY, R.N. (MS. LEMLEY)** and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723 of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder

MS. LEMLEY voluntarily enters into this Consent Agreement being fully informed of her rights under Chapter 119, ORC, including the right to representation by legal counsel and the right to a formal adjudicative hearing on the issues considered herein.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.28, ORC, to deny, permanently revoke, revoke, suspend, or place restrictions on any license issued by the Board; reprimand or otherwise discipline a licensee; or impose a fine of five hundred dollars (\$500.00) or less per violation. Section 4723.28(B)(16), ORC authorizes the Board to discipline a licensee for violation of Chapter 4723 or any rules adopted under it; Section 4723.44 (C)(5), ORC states that no certified nurse-midwife shall prescribe drugs or therapeutic devices unless the nurse holds a current, valid certificate to prescribe issued under Section 4723.48 of the Revised Code.
- B. **MS. LEMLEY** is licensed to practice nursing as a registered nurse, license R.N.-184037. **MS. LEMLEY** also possesses a certificate of authority as a nurse midwife, with prescriptive authority, COA/RX # 04985.
- C. **MS. LEMLEY** knowingly and voluntarily admits to the following:
 1. From on or about June 18, 2003 to October 16, 2003, **MS. LEMLEY** issued prescription(s) in Ohio without a current, valid certificate of prescriptive authority.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **MS. LEMLEY'S** license is REPRIMANDED. **MS. LEMLEY** knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations: **MS. LEMLEY** is hereby fined five hundred dollars (\$500.00). **MS. LEMLEY** shall pay the fine of five hundred dollars (\$500.00) to the Board by **DECEMBER 31, 2005**, payable to the "Treasurer, State of Ohio".

FAILURE TO COMPLY

MS. LEMLEY agrees that her license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that **MS. LEMLEY** has violated or breached any terms or conditions of the Consent Agreement. Following the automatic suspension, the Board shall notify **MS. LEMLEY** via certified mail of the specific nature of the charges and automatic suspension of her license. Upon receipt of this notice, **MS. LEMLEY** may request a hearing regarding the charges.

The above described terms and conditions shall constitute "restrictions placed on a license" for purposes of Section 4723.28(B), ORC. If, in the discretion of the Board, **MS. LEMLEY** appears to have violated or breached any terms or conditions of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

MODIFICATION OF TERMS

The terms, limitations and conditions of this Consent Agreement may be modified or terminated in writing at any time upon the agreement of both **MS. LEMLEY** and the Board.

ACKNOWLEDGMENTS/LIABILITY RELEASE

MS. LEMLEY acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. LEMLEY waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

MS. LEMLEY waives any and all claims or causes of action she may have against the Board, and its members, officers, employees and/or agents arising out of matters that are the subject of this Consent Agreement.

TERRIE S LEMLEY, R N.

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This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.

This Consent Agreement is not an adjudication order within the meaning of Section 119.01(D), ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119, ORC.

EFFECTIVE DATE

MS. LEMLEY understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.

Terrie S. Lemley
TERRIE S. LEMLEY

9-26-05
DATE

Yvonne M. Smith MSN RN CNS
YVONNE SMITH, President
Ohio Board of Nursing

11-18-05
DATE